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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,043	12/11/2003	Valeric M. Bennett	RSW920030296US1	8736
43168 7590 08/09/2007 MARCIA L. DOUBET LAW FIRM PO BOX 422859 KISSIMMEE, FL 34742			EXAMINER PONIKIEWSKI, TOMASZ	
			ART UNIT 2165	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/734,043	Applicant(s) BENNETT ET AL.	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/25/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,7,24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-4, 6-7 and 24-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment filed on May 25, 2007 has been received and entered. Claims 2, 5 and 8-23 have been cancelled. New claims 24-25 have been added therefore claims 1, 3-4, 6-7 and 24-25 are pending.
2. The Applicant's communication overcomes some objections and rejections under 112 and 101.

Claim Objections

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 25 recites a "computer-readable storage media" which is missing in the specification. The specification recites "computer-usable storage media" on page 21, line 4. The terms may or may not be interchangeable. Claim 25 also recites "computer-readable program code" wherein the specification recites "computer-usable program code" on page 21, line 5.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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5. Claim 24 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 24 is directed to a system that uses “means for” functions to describe it. The “means for” functions appear to be software instructions only.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 4, 6, 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg et al. (US 2005/0004911 A1).

As per claim 1 Goldberg et al. is directed to computer-implemented method of programmatically building queries, comprising steps of:

programmatically building a query user interface to query a content source, wherein the query user interface comprises a plurality of query parameters, each query parameter comprising a unique query parameter name, a query qualifier, and a query parameter value (figure 7, reference numbers 750, 752, 758, 760), further comprising:

dynamically identifying the content source to be queried (paragraph 0035);
programmatically determining a plurality of content values specified in the
dynamically identified content source (paragraph 0035);

programmatically determining, based on the specified content values, a
plurality of content types corresponding thereto (paragraph 0028, page 3, lines 1-
9);

using at least one of the programmatically-determined content types to
consult a lookup component to obtain at least two query parameter names
usable to query the content source (paragraph 0035, lines 5-8);

programmatically identifying, for each of the obtained query parameter
names, at least one query qualifier corresponding thereto, each query qualifier
usable in determining a match when comparing selected ones of the content
values to that query parameter name (paragraph 0041);

programmatically identifying, for at least one of the obtained query
parameter names, at least one value usable therewith as a query parameter
value (paragraph 0040);

programmatically building the plurality of query parameters by associating,
with each of the obtained query parameter names, the programmatically-
identified at least one query qualifier corresponding thereto and the
programmatically-identified at least one value usable therewith as a query
parameter value, if any (paragraph 0077, lines 10-17); and

displaying on the query user interface, for each of the programmatically-built query parameters, the obtained query parameter name, a first selector usable to select one of the at least one query qualifiers corresponding thereto, and a second selector usable to select at least one of the at least one values usable therewith, if any, or for providing at least one user-entered value usable therewith (paragraph 0084); and

enabling a user to build a query command, to query the content source by using, for each of at least one of the displayed query parameter names, the first selector to select one of the associated query qualifiers and using the second selector to select at least one of: (1) at least one of the associated values, if any, or (2) at least one user-entered value (paragraph 0084).

As per claim 4 Goldberg et al. is directed to further comprising the step of:

programmatically identifying at least one query extension parameter for the query command, responsive to a request from the user to extend the display on the query user interface, further comprising, for each of the at least one query extension parameters (paragraph 0086, lines 1-12):

using at least one of the obtained query parameter names to obtain a related query parameter name (paragraph 0086, lines 14-18);

programmatically identifying at least one query qualifier corresponding to the obtained related query parameter name, each query qualifier usable in

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determining a match when comparing selected ones of the content values to the obtained related query parameter name (paragraph 0041); and

programmatically building the query extension parameter by associating, with the obtained related query parameter name, the programmatically-identified at least one query qualifier corresponding thereto (paragraph 0077, lines 10-17); and

wherein the displaying step further comprises also displaying each of the at least one programmatically-identified query extension parameters as additional ones of the programmatically-built query parameters (paragraph 0084).

As per claim 6 Goldberg et al. is directed to wherein the using step further comprises using information regarding the content source when consulting the lookup component (paragraph 0035).

As per claim 24 Goldberg et al. is directed to a system configured to programmatically build queries, comprising:

means for programmatically building a query user interface to query a content source, wherein the query user interface comprises a plurality of query parameters, each query parameter comprising a unique query parameter name, a query qualifier, and a query parameter value, further comprising (figure 7, reference numbers 750, 752, 758, 760):

means for dynamically identifying the content source to be queried
(paragraph 0035);

means for programmatically determining a plurality of content values
specified in the dynamically-identified content source (paragraph 0035);

means for programmatically determining, based on the specified content
values, a plurality of content types corresponding thereto (paragraph 0028, page
3, lines 1-9);

means for using at least one of the programmatically-determined content
types to consult a lookup component to obtain at least two query parameter
names usable to query the content source (paragraph 0035, lines 5-8);

means for programmatically identifying, for each of the obtained query
parameter names, at least one query qualifier corresponding thereto, each query
qualifier usable in determining a match when comparing selected ones of the
content values to that query parameter name (paragraph 0041);

means for programmatically identifying, for at least one of the obtained
query parameter names, at least one value usable therewith as a query
parameter value (paragraph 0040);

means for programmatically building the plurality of query parameters by
associating, with each of the obtained query parameter names, the
programmatically-identified at least one query qualifier corresponding thereto and
the programmatically-identified at least one value usable therewith as a query
parameter value, if any (paragraph 0077, lines 10-17); and

means for displaying on the query user interface, for each of the programmatically-built query parameters, the obtained query parameter name, a first selector usable to select one of the at least one query qualifiers corresponding thereto, and a second selector usable to select at least one of the at least one values usable therewith, if any, or for providing at least one user-entered value usable therewith (paragraph 0084); and

means for enabling a user to build a query command to query the content source by using, for each of at least one of the displayed query parameter names, the first selector to select one of the associated query qualifiers and using the second selector to select at least one of: (1) at least one of the associated values, if any, or (2) at least one user-entered value (paragraph 0084).

As per claim 25 Goldberg et al. is directed to a computer program product configured to programmatically build queries, the computer program product embodied on one or more computer-readable storage media and comprising:

computer-readable program code for programmatically building a query user interface to query a content source, wherein the query user interface comprises a plurality of query parameters, each query parameter comprising a unique query parameter name, a query qualifier, and a query parameter value, further comprising (figure 7, reference numbers 750, 752, 758, 760):

computer-readable program code for dynamically identifying the content source to be queried (paragraph 0035);

computer-readable program code for programmatically determining a plurality of content values specified in the dynamically-identified content source (paragraph 0035);

programmatically determining, based on the specified content values, a plurality of content types corresponding thereto (paragraph 0028, page 3, lines 1-9);

computer-readable program code for using at least one of the programmatically-determined content types to consult a lookup component to obtain at least two query parameter names usable to query the content source (paragraph 0035, lines 5-8);

computer-readable program code for programmatically identifying, for each of the obtained query parameter names, at least one query qualifier corresponding thereto, each query qualifier usable in determining a match when comparing selected ones of the content values to that query parameter name (paragraph 0041);

computer-readable program code for programmatically identifying, for at least one of the obtained query parameter names, at least one value usable therewith as a query parameter value (paragraph 0040);

computer-readable program code for programmatically building the plurality of query parameters by associating, with each of the obtained

query parameter names, the programmatically-identified at least one query qualifier corresponding thereto and the programmatically-identified at least one value usable therewith as a query parameter value, if any (paragraph 0077, lines 10-17); and

computer-readable program code for displaying on the query user interface, for each of the programmatically-built query parameters, the obtained query parameter name, a first selector usable to select one of the at least one query qualifiers corresponding thereto, and a second selector usable to select at least one of the at least one values usable therewith, if any, or for providing at least one user-entered value usable therewith (paragraph 0084); and

computer-readable program code for enabling a user to build a query command to query the content source by using, for each of at least one of the displayed query parameter names, the first selector to select one of the associated query qualifiers and using the second selector to select at least one of: (1) at least one of the associated values, if any, or (2) at least one user-entered value (paragraph 0084).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 and 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg et al. (US 2005/0004911 A1) in view of Skillen et al. (US 6,098,065).

As per claim 3 Goldberg et al. does not teach wherein the using step further comprises using information regarding the user when consulting the lookup component.

Skillen et al. teaches wherein the using step further comprises using information regarding the user when consulting the lookup component (Skillen et al., column 2, lines 33-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Goldberg et al. by teachings of Skillen et al. to include wherein the using step further comprises using information regarding the user when consulting the lookup component because using user profile provides high value to the user (Skillen et al., column 2, lines 33-43).

As per claim 7 Goldberg et al. does not teach wherein the information regarding the user comprises at least one of: a role of the user, preferences of the user, a device used by the user, or an identification of the user.

Skillen et al. teaches wherein the information regarding the user comprises at least one of: a role of the user, preferences of the user, a device used by the user, or an identification of the user (Skillen et al., column 2, lines 33-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Goldberg et al. by teachings of Skillen et al. to

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include wherein the information regarding the user comprises at least one of: a role of the user, preferences of the user, a device used by the user, or an identification of the user because using user profile provides high value to the user (Skillen et al., column 2, lines 33-43).

Response to Arguments

10. Applicant's arguments with respect to claims 1, 3-4, 6-7 and 24-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

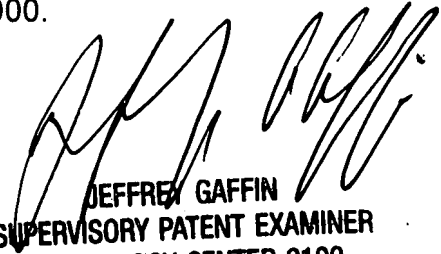
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
August 6, 2007


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